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In re application of:

Group Art Unit: 3612

TOMMY E. WHITE et al.

Examiner: Jason S. Morrow

Serial No.: 10/611,843

Filed: July 1, 2003

For: BODY AND FRAME ASSEMBLY FOR A VEHICLE AND
METHOD OF ASSEMBLING A VEHICLE

Attorney Docket No.: GP-302711 / GM0330PUS

**DECLARATION OF JAMES G. SCHROTH
UNDER 37 C.F.R. § 1.132**Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I have a bachelor's degree in Materials and Metallurgical Engineering from the University of Michigan, a master's degree in Metallurgical Engineering from The Ohio State University and a doctorate in Metallurgical Engineering from The Ohio State University. I have worked as a materials research engineer for General Motors Corporation for nineteen years. As part of my employment, I have been involved in the design/production of novel aluminum body structures.

2. I have worked with numerous vehicle body and frame designers and manufacturing process specialists over the last nineteen years, and have associated with vehicle body and frame designers and manufacturing process specialists at conferences, professional association meetings, internal training sessions, and numerous technical meetings with GM vehicle body and frame designers and manufacturing process specialist as

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

11/22/2004
Date of DepositJean M. McCarthy
Name of Person SigningJean M. McCarthy
Signature

S/N: 10/008,483

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well as vehicle body and frame component suppliers. I have been involved in the design and development of GM automotive bodies and frames. From this work and these associations over the last nineteen years, I became informed of the ordinary skills of a broad range of persons in the art of vehicle body and frame design and manufacture. Based on this information and my belief, I represent a person of ordinary skill in the art of vehicle body and frame design and manufacture.

3. As a thus qualified representative of the ordinary skill in the art of the present application, I have reviewed the specification, including drawings and claims, of U.S. Patent Application Serial No. 10/611,843 entitled "Body and Frame Assembly for a Vehicle and Method of Assembling a Vehicle," as well as the amended claims filed on July 22, 2004. In particular, I considered whether the Specification and drawings along with information known to one of ordinary skill in the art would enable me to make and use the one-piece inner member and the one-piece outer member claimed. Independent claim 1 reads as follows:

1. A body and frame assembly for a vehicle comprising a one-piece inner member mated with a one-piece outer member, each of said members defining door openings for opposing sides of the vehicle.

Similarly, independent claim 20 reads as:

20. A method of assembling a vehicle, the method comprising:

forming a one-piece inner member;

forming a one-piece outer member matable with the inner member; and

mounting the inner and outer members to each other such that each of the inner and outer members defines door openings at opposing sides of the vehicle.

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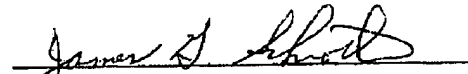
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4. I believe that I would readily be able to make and use the invention of claim 1, or any of the other claims, without undue experimentation.

5. A variety of complex shapes may be made utilizing the quick plastic forming, super plastic forming and sheet hydroforming processes discussed in and incorporated by reference in the Application. Any of these forming processes, along with the bending, trimming and joining steps discussed in the Application may be utilized to provide a variety of complex shapes, including the claimed one-piece inner member and the one-piece outer member.

6. One explanation for why the Examiner is not aware of any prior art disclosing one-piece components of similar size or complexity as the claimed one-piece inner member and one-piece outer member may be the trade-off of handling issues and die cost presented by larger components. Such practical considerations do not, however, imply that large one-piece components such as the inner member and the outer member may not be made in the manner described in the Application.

I declare under penalty of perjury that the foregoing is true and correct.


James G. Schroth

Dated: 11-12-04